

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NARLINE EWERS,

Plaintiff,

-v.-

MONTEFIORE MEDICAL CENTER,

Defendant.

23 Civ. 09386 (JHR)

ORDER

JENNIFER H. REARDEN, District Judge:

Plaintiff moved for a default judgment and filed a declaration and proposed judgment in support. ECF Nos. 18-19. Upon further review, Plaintiff's submission fails to establish that defendant “[was] liable as a matter of law.” *Bricklayers & Allied Craftworkers Loc. 2, Albany, N.Y. Pension Fund v. Moulton Masonry & Const., LLC*, 779 F.3d 182, 187 (2d Cir. 2015) (“[I]f liability is established as a matter of law when the factual allegations of the complaint are taken as true[,]” then a “Court may, on plaintiffs’ motion, enter a default judgment[.]”); *see also* Indiv. R. & Pracs. in Civ. Cases, Attach. A 2.b.iv (requiring a memorandum of law setting forth, among other things, an “analysis demonstrating that the facts pleaded in the complaint support the conclusion that the relevant defendant is liable”). Accordingly, the Court will not consider Plaintiff’s application.

If Plaintiff plans to proceed with seeking a default judgment, then by **July 17, 2025**, she shall file a corrected motion for default judgment in accordance with the Court’s Individual Rules and Practices in Civil Cases. **Failure to submit a timely and proper motion for default judgment may result in dismissal without prejudice of this case.** *See* Fed. R. Civ. P. 41.

The Clerk of the Court is directed to send a copy of this Order to the following, *see* ECF No. 21:

- (1) The Montefiore Medical Center's Risk Management Office: Shavon Simmons, 3328 Rochambeau Avenue, Bronx, NY 10467
- (2) The law firm and attorney that the Court understands currently represent Defendant Montefiore Medical Center on other matters: Jean L. Schmidt, Littler Mendelson P.C., 900 Third Avenue, New York, NY 10022
- (3) Defendant Montefiore Medical Center's General Counsel: Christopher Panczner, Montefiore Medical Center, 111 East 210th Street, Bronx, NY 10467

SO ORDERED.

Dated: July 3, 2025
New York, New York



JENNIFER H. REARDEN
United States District Judge